

**ALASKA STATE LEGISLATURE**  
**HOUSE EDUCATION STANDING COMMITTEE**

February 24, 2014  
8:12 a.m.

**MEMBERS PRESENT**

Representative Lynn Gattis, Chair  
Representative Lora Reinbold, Vice Chair  
Representative Gabrielle LeDoux  
Representative Dan Saddler  
Representative Paul Seaton  
Representative Peggy Wilson

**MEMBERS ABSENT**

Representative Harriet Drummond

**COMMITTEE CALENDAR**

HOUSE BILL NO. 220

"An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."

- MOVED CSHB 220(EDC) OUT OF COMMITTEE

HOUSE BILL NO. 278

"An Act increasing the base student allocation used in the formula for state funding of public education; repealing the secondary student competency examination and related requirements; relating to high school course credit earned through assessment; relating to a college and career readiness assessment for secondary students; relating to charter school application appeals and program budgets; relating to residential school applications; increasing the stipend for boarding school students; extending unemployment contributions for the Alaska technical and vocational education program; relating to earning high school credit for completion of vocational education courses offered by institutions receiving technical and vocational education program funding; relating to education tax credits; making conforming amendments; and providing for an effective date."

- SCHEDULED BUT NOT HEARD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 220

SHORT TITLE: REPEAL SECONDARY SCHOOL EXIT EXAM

SPONSOR(S): REPRESENTATIVE(S) HIGGINS, MILLETT, GARA, GATTIS,  
T.WILSON, THOMPSON

01/21/14	(H)	PREFILE RELEASED 1/10/14
01/21/14	(H)	READ THE FIRST TIME - REFERRALS
01/21/14	(H)	EDC
02/05/14	(H)	EDC AT 8:00 AM CAPITOL 106
02/05/14	(H)	Heard & Held
02/05/14	(H)	MINUTE(EDC)
02/07/14	(H)	EDC AT 8:00 AM CAPITOL 106
02/07/14	(H)	Heard & Held
02/07/14	(H)	MINUTE(EDC)
02/12/14	(H)	EDC AT 8:00 AM CAPITOL 106
02/12/14	(H)	Scheduled But Not Heard
02/24/14	(H)	EDC AT 8:00 AM CAPITOL 106

**WITNESS REGISTER**

REPRESENTATIVE PETE HIGGINS

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** Speaking as a joint prime sponsor, answered questions related to the changes in the proposed committee substitute (CS) for HB 220.

MIKE HANLEY, Commissioner

Department of Education and Early Development

Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 220.

LES MORSE, Deputy Commissioner

Office of the Commissioner

Department of Education and Early Development

Juneau, Alaska

**POSITION STATEMENT:** Answered questions during the hearing on HB 220.

JERRY COVEY, Education Consultant

Anchorage, Alaska

**POSITION STATEMENT:** Testified in support for HB 220.

MIKE COONS

Palmer, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 220.

POSIE BOGGS  
Anchorage, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 220.

MARY NANUWAK  
Anchorage, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 220.

DAVID NEES  
Anchorage, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 220.

#### **ACTION NARRATIVE**

[8:12:13 AM](#)

**CHAIR LYNN GATTIS** called the House Education Standing Committee meeting to order at 8:12 a.m. Present at the call to order were Representatives LeDoux, Saddler, Reinbold, Seaton, P. Wilson, and Gattis.

#### **HB 220-REPEAL SECONDARY SCHOOL EXIT EXAM**

[8:12:34 AM](#)

CHAIR GATTIS announced that the first order of business would be HOUSE BILL NO. 220, "An Act repealing the secondary student competency examination and related requirements; and providing for an effective date."

[8:13:00 AM](#)

REPRESENTATIVE PETE HIGGINS, Alaska State Legislature, reminded the committee it had previously heard the sponsor statement in support of HB 220. He said there are many different opinions on education assessments at the end of a student's high school career; however, there is overwhelming public support to repeal the High School Graduation Qualifying Examination (HSGQE).

[8:13:47 AM](#)

CHAIR GATTIS, in response to Representative LeDoux, identified the proposed work draft as CS for HB 220, 28-LS0947\U, Mischel, 2/6/14. She said it was important that the students presently affected by the HSGQE know that they have a few more years to

qualify for their high school diplomas, although the HSGQE has lost its expected value. In order to give the affected students an opportunity to get their diploma in a cost-effective manner, she suggested utilizing the General Educational Development (GED) program during a time of transition versus "continuing having everybody on hold ...."

REPRESENTATIVE LEDOUX opined that if it has been determined that the HSGQE has no value, the legislature should allow diplomas to be issued to all of the students that failed the HSGQE, up to a certain date. She questioned the point of requiring students to take an exam that has no value.

[8:17:20 AM](#)

REPRESENTATIVE HIGGINS noted that there are many views to consider, such as legality and the desire to get a diploma by students who have graduated with a certificate of achievement. He agreed that if the HSGQE is repealed, students who have met the state standards should get a diploma. He said using the GED as a qualifier will be addressed by the Department of Education and Early Development (EED). A high school diploma can mean acceptance into the military, trade schools, and some colleges.

REPRESENTATIVE P. WILSON cautioned that issuing diplomas to those who did not pass last year, or using the GED program for a certain amount of time, is unfair to students in past or in future years. However, the cost of administering the HSGQE is ridiculous.

REPRESENTATIVE LEDOUX clarified that if the legislature believes that exit exams are not valuable, there should be a return to a point in time before they were required, and students should receive a diploma.

[8:21:27 AM](#)

REPRESENTATIVE REINBOLD stated that eliminating the HSGQE could provide the opportunity to replace it with exams that are more aligned with the Common Core State Standards Initiative. She questioned what would be used as a marker to ensure that students are ready for college, technical school, or the job market.

REPRESENTATIVE HIGGINS agreed that assessments and benchmarks should be developed to mark students' achievements, but they should not be tied to the high school diploma that has been

earned by meeting the present standard. He agreed with issuing diplomas retroactively to those who have met the state standard, and thereby remove roadblocks that prevent children from moving on in life. Representative Higgins acknowledged that the state high school standards may change at some future date.

REPRESENTATIVE P. WILSON observed that the state has raised its standards in the last few years and has alleviated the need for any type of exit exam.

8:25:05 AM

REPRESENTATIVE SEATON pointed out that students who receive a certificate of achievement have not met all of the standards for graduation, which include the requirements for a minimum number of units in certain classes and the passing of an exam. The legislature could look at what was required in the past; however, the present standards are known, and retroactively changing them would cause confusion. In addition, the WorkKeys assessment is currently required for every 11th grader, and the level is recorded on a student's transcript that is available to prospective employers. Representative Seaton agreed with the need for a new standard, but not with issuing diplomas retroactively.

REPRESENTATIVE HIGGINS stressed that the basic question is how to develop an exit exam that will be fair to students who have graduated in the last two years with a Certificate of Accomplishment, but who desire a diploma. Possibilities are: extension [of the program] by three years; extension by one and one-half years; extension to the end of the assessment contract; use GED testing; or issue diplomas to those who have met the standards except for passage of the exit exam.

8:30:41 AM

REPRESENTATIVE LEDOUX surmised that the exit exam is no longer needed because the standards have been raised. She asked what criterion is now used to ensure that students are competent in certain core subjects.

REPRESENTATIVE HIGGINS deferred to the commissioner of EED.

REPRESENTATIVE REINBOLD agreed that retroactive action would not be appropriate. Further, if the HSGQE is not fulfilling its intended role, she said she would support its repeal; however, "there's tremendous red flags in regards to the Common Core."

[8:33:21 AM](#)

MIKE HANLEY, Commissioner, Department of Education and Early Development, in response to Chair Gattis, informed the committee that the contract between EED and Data Recognition Corporation (DRC) includes administering the HSGQE, standards-based assessments (SBAs), and other tests. It is complex to switch one component from one vendor to another; technically, contracts will be renewed on 12/15/15, although renegotiations are underway as the EED has contracted with another vendor for other assessments.

CHAIR GATTIS asked specifically when the contract for administering the HSGQE ends, so that the legislature can establish a date for repealing the test.

COMMISSIONER HANLEY explained that EED is currently extracting the HSGQE component from the total comprehensive contract; in fact, conversations with DRC regarding the extraction of the HSGQE are ongoing.

REPRESENTATIVE SADDLER asked what proportion of the contract covers the HSGQE.

[8:36:07 AM](#)

LES MORSE, Deputy Commissioner, Office of the Commissioner, EED, responded that the high school component of the exam is approximately \$2.7 million. He estimated the total contract at over \$7 million.

REPRESENTATIVE SEATON referred to the standard agreement form for professional services between EED and DRC dated 6/26/13, [provided in the committee packet] which indicated that the contract term is 7/1/13 through 6/30/14, in the total amount of \$7,391,950.

MR. MORSE said that is the absolute answer, adding that the contract is year-to-year, but renewable each year through December, 2015, without engaging in a new procurement process.

CHAIR GATTIS asked what the effect would be of not renewing the contract.

COMMISSIONER HANLEY said not renewing the contract removes the state's ability to provide both the mandatory assessments in grades three through ten, and the HSGQE.

CHAIR GATTIS acknowledged the consequence would be to eliminate the HSGQE and the standardized tests, but it would not eliminate the testing done by teachers in the individual school districts.

COMMISSIONER HANLEY agreed. However, he cautioned that the state would also lose a portion of the \$233 million in federal funds it receives annually. He said he was unsure of the exact amount of federal funding that would be in jeopardy if the assessments were not administered.

[8:40:04 AM](#)

REPRESENTATIVE SEATON expressed his concern about the December 2015 date. He presumed that the ongoing contract negotiations are for what is going to happen for the fiscal year 2015 (FY 15), and that those negotiations have not been finalized.

COMMISSIONER HANLEY confirmed that the contracts are updated regularly without opening a new procurement process. He said, "But I would really hate to see this conversation around transition language based around the contract we have." It was felt that because the governor's bill, HB 278, will permanently remove the opportunity for a student to get a diploma, there needed to be a transition period, and the administration chose a period of three years. This decision was not driven by the circumstances of a contract, but by a moral and legal responsibility to offer that opportunity for a certain period of time. Although EED is not "set" on three years, Commissioner Hanley warned that offering the test once more may not provide a sufficient transition opportunity for students to come back and retest; furthermore, a shorter time period may be challenged in court. He reminded the committee that this component carries an overall negative fiscal note [identified as HB220-EED-SSA-01-31-14], even though \$2.7 million is removed.

REPRESENTATIVE REINBOLD asked whether all federally-mandated education requirements are fully funded by federal funds.

[8:43:32 AM](#)

MR. MORSE, addressing mandated assessments in particular, informed the committee that assessment mandates are found in federal and state statutes. The total amount of federal support

received by the state exceeds the cost of the assessments; in fact, about \$3.5 million in federal funds pays a portion of the assessment costs.

REPRESENTATIVE REINBOLD restated her question and requested a later response to address all education requirements that are mandated by the federal government. She then asked if EED's support for the repeal of the HSGQE is motivated by the cost of the new testing requirements for the "new Common Core Alaska standards."

COMMISSIONER HANLEY assured the committee the motivation behind the bill is to remove an assessment that has become a hurdle, does not serve its original purpose, is duplicative, and is costly.

REPRESENTATIVE REINBOLD expressed her understanding that the ACT and the Scholastic Assessment Test (SAT) will be aligned to the new Alaska Common Core standards. She said that if the HSGQE is repealed, it will be replaced with other tests, and asked whether EED has set specific benchmarks on ACT and SAT that students must achieve in order to receive a diploma.

[8:46:38 AM](#)

COMMISSIONER HANLEY said the state has always used assessments to measure student progress on the state standards for the purpose of informing students and parents on students' progression toward proficiency, and to assess the education system that provides opportunities for students. The Standards Based Assessments (SBAs) that are currently given in grades three through ten will be replaced by the state's new standards; however, these assessments are unrelated to the HSGQE, as it is a stand-alone assessment.

REPRESENTATIVE REINBOLD expressed her concern that if the HSGQE is repealed, there will be no other standard to ensure that students are ready for the workforce or college.

COMMISSIONER HANLEY acknowledged there will not be a "high stakes assessment," but EED will replace the SBAs with testing either at grades three through ten, or grades three through eleven, to measure students' proficiency on the standards. Additionally, after the passage of the proposed legislation, students will have the opportunity at eleventh or twelfth grade to take WorkKeys, ACT, or SAT to inform them of their status.

REPRESENTATIVE REINBOLD asked for more information on the new testing.

COMMISSIONER HANLEY said the State Board of Education & Early Development (State Board) adopted a new set of standards in June, 2012, thus EED is responsible for finding a tool to measure students' proficiency on those standards. The department issued a request for proposal (RFP) to find an assessment to accurately measure proficiency, and there were five responses from vendors. Currently, EED is in the process of negotiating with the successful vendor on a final contract for the 2015 school year. The decision on whether the testing will be for grades three through ten, or for grades three through eleven, will be made by the State Board.

[8:49:41 AM](#)

REPRESENTATIVE SADDLER asked for clarification between the terminology of a test and an assessment. He observed that a test must be passed, but an assessment indicates where a student stands on a continuum. The HSGQE is a test, but SBAs, ACT, SAT, and WorkKeys are assessments.

COMMISSIONER HANLEY explained that as the terms are being used in this hearing, there is no distinction between test and assessment.

REPRESENTATIVE SADDLER referred to the commissioner's comments on the legality of eliminating the transition period, and asked for the basis of his belief that no transition period is unacceptable, but a transition period of one and one-half years may be acceptable.

COMMISSIONER HANLEY said he has discussed the matter with the Department of Law (DOL), which advised that a transition period of three years is legally defensible, but is not "a hard line in the sand." He encouraged the committee to request a second opinion from Legislative Legal Services. The question is whether a diploma is a property right. He observed that a transition period of three years provides flexibility [for a student to obtain a diploma], and one more assessment may not provide time enough to notify the general public of an upcoming change.

[8:52:00 AM](#)

REPRESENTATIVE SADDLER expressed his interest in seeing a written opinion, if available. He asked whether a diploma is a property right, or the right to seek a diploma is a property right.

COMMISSIONER HANLEY was unsure. In further response to Representative Saddler, he said he did not know the amount of federal funding at risk if the state failed to continue the contract for mandated assessments. Every other state has assessments in grades three through eight and once in high school after ninth grade, which is the federal mandate that remains unchallenged at this time.

CHAIR GATTIS suggested using the statewide longitudinal data system (SLDS) testing that is already in place in many Alaska schools, instead of standardized tests.

COMMISSIONER HANLEY stated the aforementioned test would not qualify for EED's purposes, or for funding by the U.S. Department of Education, as the test needs to be a standardized assessment.

REPRESENTATIVE SADDLER questioned whether terms could be negotiated with DRC to allow for the elimination of \$2.7 million for the administration of the exit exam, while retaining \$4.3 million in the remaining contract for the assessment of SBAs.

COMMISSIONER HANLEY said yes; in fact, the aforementioned negative fiscal note attached to HB 220 reflects removing \$2.7 million [from the budget].

[8:55:41 AM](#)

REPRESENTATIVE LEDOUX inquired as to how long a student who does not pass the HSGQE is allowed to retake the test to obtain a diploma.

COMMISSIONER HANLEY said there is no limit to that opportunity.

REPRESENTATIVE LEDOUX returned attention to SBAs, and asked whether repeated low assessments would prevent a student from graduating.

COMMISSIONER HANLEY said assessments do not have a "high stakes component."

REPRESENTATIVE LEDOUX assumed if there is no way to fail the exam, a student could attend high school for four years without success and graduate.

COMMISSIONER HANLEY clarified that a lack of a high stakes component does not mean there are not consequences and measures used throughout the school districts. In further response to Representative LeDoux, he pointed out that year-end assessment scores are sometimes received after the end of the school year thus are provided to teachers the next year. He remarked:

Those scores are also comparable to what they're receiving in their classes, so ... if there's a high stakes component, it's the accountability the teachers hold their students to in their courses for understanding materials for those levels, and for those standards that are expected to be taught in those grades.

REPRESENTATIVE LEDOUX asked whether a student can earn failing grades throughout high school and still receive a diploma.

COMMISSIONER HANLEY said, "Yes, people do flunk."

REPRESENTATIVE LEDOUX concluded that without standardized testing, an employer cannot know whether a student knows basic reading, writing, and arithmetic.

COMMISSIONER HANLEY stated that there is responsibility upon the teachers to not pass a student who is not proficient.

[8:59:39 AM](#)

REPRESENTATIVE LEDOUX requested statistics that indicate how often students fail classes, and that reveal the grade point averages for students who pass to the next grade.

COMMISSIONER HANLEY related EED has data gathered on standardized assessments, but not on tests given by an individual teacher at the end of a chapter or a quarter.

REPRESENTATIVE LEDOUX understood that a standardized test is indicative of how a student has done in a class. She asked for statistics on whether students who do poorly on standardized tests are held back, or are passed to the next grade.

COMMISSIONER HANLEY explained that individual student data is not gathered by EED but is held at the school level.

REPRESENTATIVE P. WILSON speculated that the need for remedial courses offered at colleges indicates that students without proficiency are passed to the next grade. She asked whether the upcoming assessments will cost more or less than the current assessments.

[9:02:09 AM](#)

MR. MORSE restated that the entire cost of the assessment contract is about \$7.3 million including SBAs for reading, writing, math, and science in three grade levels, and the HSGQE component. Of that total, \$2.7 million is for the HSGQE. An RFP was issued for a new contract and a vendor has been selected. He pointed out that the new costs are within the range of the existing contract, so there has not been a need to request a budget increment to cover additional assessment costs, as EED desires to manage the new contract within the current allocation for assessments. However, the proposed legislation would create "some form of a decrement."

[9:03:23 AM](#)

The committee took an at-ease from 9:03 a.m. to 9:07 a.m.

[9:07:37 AM](#)

REPRESENTATIVE SEATON asked at what maximum age a student can attend high school and graduate.

MR. MORSE said a student can be 19 years old to qualify for funding. Special Education students may attend to age 21 and qualify for funding; however, some districts have allowed adults to attend.

REPRESENTATIVE SEATON concluded that if a student did not pass the HSGQE and received a certificate of achievement this year, he/she could return next year to finish their "diploma work." Because the proposed legislation takes effect in September, 2014, the student would not have to take the HSGQE next year and could graduate with a diploma if they completed the required number of courses.

COMMISSIONER HANLEY explained that a student who graduated with a certificate of achievement has graduated under those

guidelines. One could return and try to get a diploma, "but they don't undo their graduation ...." A student who has not completed course requirements and returns is a fifth-year student.

[9:10:02 AM](#)

REPRESENTATIVE SEATON provided a scenario in which a student who may not have the required number of credits returned next year, completed the course requirements, would not have to pass the HSGQE, and would receive a diploma.

COMMISSIONER HANLEY said "that could theoretically happen."

REPRESENTATIVE SEATON noted that not all options are closed to those who wish to graduate high school but who are unable to pass the HSGQE. He stressed that a number of credits are required in order to graduate.

CHAIR GATTIS stated that state and district standards differ.

REPRESENTATIVE SEATON said he wanted to correct a misconception. He remarked:

You have to pass a certain number of credits, so if you fail those credits you do not graduate and you have to come back. ... I think the public might have been hearing us say, 'You could go through and get Ds and Fs all the way through and you'd still graduate' and that's not correct, because you would not have fulfilled the graduation requirements that you have a passing grade in a certain number of courses and in a certain distribution of courses.

CHAIR GATTIS commented that, prior to the HSGQE, businesses and communities were interested in the level of knowledge mastered by high school graduates, and she understood the impetus for high stakes testing. However, the conversation today is: Do we trust our teachers? Do we trust the curriculum? And do we trust the school district and our school boards?

[9:14:26 AM](#)

REPRESENTATIVE SADDLER asked whether a student with an F average could graduate.

COMMISSIONER HANLEY said no.

REPRESENTATIVE SADDLER then asked whether a student with a D average could graduate.

MR. MORSE advised there is not a state mandated [minimum] grade point average, but a local school district may have a policy.

REPRESENTATIVE SADDLER restated for clarification that it is possible for a student to take advantage of the previously described scenario to avoid the HSGQE and graduate with a diploma next year.

COMMISSIONER HANLEY said it would be unique, but is possible.

REPRESENTATIVE LEDOUX surmised the proposed bill would pass and the effective date would be for some time after graduation in 2014. She said it does not make sense that the legislation cannot take effect earlier so that students graduating in 2014 do not have to pass the HSGQE.

CHAIR GATTIS agreed.

[9:17:29 AM](#)

COMMISSIONER HANLEY remarked:

... to me it's just a sensitivity around those students, and taking away that opportunity to ever have a diploma. ... I understand the fiscal discussion, when I look at us reducing overall cost, and I look at a spectrum of time, ... a transition period of a year-and-a-half or two years seems reasonable.

REPRESENTATIVE LEDOUX said [changing the effective date] would not take away the right of a student to return and meet the requirements, but in the year the legislation is on its way to passage, spending the time and money to "make certain kids fail the test," this year - because the bill is going to be effective two months after graduation - seems nonsensical. If the test is to be stopped, she urged the committee to stop it now.

COMMISSIONER HANLEY stated EED would follow the law until the legislation passes and becomes effective.

REPRESENTATIVE SEATON gave a short history on the efforts to eliminate the exit exam over the past six years. The final

outcome of the proposed legislation is unknown, and he cautioned against advising students to act on a premise that may not materialize.

[9:21:36 AM](#)

REPRESENTATIVE LEDOUX suggested that schools provide two opportunities to take the HSGQE: in April and in September, or October. In this case, assuming that the bill passes and the exit exam is eliminated, students that planned to take the fall exam would pass.

COMMISSIONER HANLEY informed the committee that schools do not have an option to choose the dates of the exam; the dates that are set by the state are April for tenth graders, and twice per year, every year, after that. In order to change the dates, the contract would need to be renegotiated. However, if students take the test in October, there still must be transition language.

REPRESENTATIVE LEDOUX pointed out that by October, the bill may have passed and become effective, thus taking the exit exam is moot.

COMMISSIONER HANLEY explained that would only be an option for tenth graders. In further response to Representative LeDoux, he said seniors will be graduating under the current law, unless the proposed legislation passes and is retroactive, and if they have not passed the HSGQE in twelfth grade, they will not get a diploma, and will have left high school.

[9:24:51 AM](#)

REPRESENTATIVE LEDOUX reiterated the scenario, pointing out that the two opportunities to take the test would be available to seniors. Those who are unlikely to pass may defer taking the test on the expectation that the proposed legislation will pass and the exam will be eliminated.

COMMISSIONER HANLEY said only seniors who have previously failed the HSGQE take it again. If all the other credit requirements are met for graduation, but the HSGQE was failed, a student cannot receive a diploma.

[9:26:38 AM](#)

[Although not formally stated, public testimony was open on HB 220.]

[9:26:46 AM](#)

JERRY COVEY, Education Consultant, stated his support for the repeal of the HSGQE. He appreciated the thorough review of the bill and said the test has outlived its usefulness, therefore, it is appropriate to replace it with other tests as previously discussed.

REPRESENTATIVE SADDLER asked whether Mr. Covey meant replacing the HSGQE with tests or assessments.

MR. COVEY suggested using ACT, SAT, ACCUPLACER, or WorkKeys. He said "cut scores" do not exist on ACT, SAT, or WorkKeys, but indicators give the students his/her performance levels in specific areas. These indicators are available to employers, parents, and [institutions of] higher education.

REPRESENTATIVE SADDLER opined ACT, SAT, and WorkKeys are useful tools as assessments and not as tests.

REPRESENTATIVE SEATON described the transition period proposed in the bill and asked Mr. Covey for his opinion.

MR. COVEY said the transition period is a reasonable approach. Students would graduate under the same system of requirements that they started high school under, and EED should extend the period somewhere near the original date, so that expectations remain the same for entering freshmen.

CHAIR GATTIS questioned why the state would not save \$1-\$2.7 million by eliminating a test that some have agreed is not the best assessment of student competence.

[9:30:57 AM](#)

MIKE COONS referred to earlier testimony given by EED that the only seniors at risk are the 2014 students who didn't pass the HSGQE in the tenth grade. He directed attention to the document found in the committee packet entitled, "Statewide Spring 2013 HSGQE Grade 10 Statewide Results by Ethnicity, Gender and Groups." For 2013, the number of students who did not pass was 2,456 for writing, 1,437, for reading, and 2,041 for mathematics. Mr. Coons questioned whether the administration believes that the only seniors at risk for not getting a diploma

at graduation in 2014 are the 2,456 who didn't pass in the tenth grade. Referring to the suggestion that students obtain a GED, he said students should not have to spend \$125. Mr. Coons recalled previous testimony before the Senate Standing Committee on Education was that all end-of-year tests were to be eliminated along with the HSGQE. He urged for the state to refuse federal funding and regain state and individual sovereignty. Finally, the administration's concerns about potential lawsuits should be set aside.

CHAIR GATTIS explained her suggestion was that the GED could be paid for by the state instead of \$2.7 million for the exit exam.

[9:34:26 AM](#)

POSIE BOGGS said she was representing herself, the Literate Nation Alaska Coalition, Dyslexia Alaska Branch, and Decoding Dyslexia-Alaska. She thanked the committee for its commitment to this difficult issue. Ms. Boggs related that in the State of Washington, 4,000 students earned full credit at high school and failed the qualifying exam for many of the same reasons Alaska students fail. If they are failing math and reading, the education system, must be doing them some harm. She agreed that there is a lack of trust in the schools and in the education system and relayed a personal story of how her family is going to fund education for future generations. She urged for improvements to how basic skills are taught in Alaska.

[9:38:03 AM](#)

MARY NANUWAK referred to the discussion about the high school exit graduation requirements and assessments and stressed that high school testing is one of the tools in assessing whether a student is ready for graduation. She said the committee's questions have not been answered or are being evaded.

[9:40:06 AM](#)

DAVID NEES pointed out that 80 percent of the students are passing the [HSGQE] in tenth grade, and the remaining 20 percent have two years to retake and pass the test. Also, a student with an individual education plan (IEP) can get a waiver. The bill is about eliminating a test that is successful for most high school students. He said he was unable to determine how many waivers were granted, thus it is unknown the exact number affected; it may be only a couple hundred students, out of 10,000, who are unable to pass the test after multiple attempts.

He opined the high stakes test accurately measures, and has proven to be effective. Elimination of the test saves money at an unknown cost to the confidence of the school system and parents.

[9:41:52 AM](#)

CHAIR GATTIS, after ascertaining that no one else wished to testify, closed public testimony on HB 220.

[9:41:58 AM](#)

REPRESENTATIVE SEATON made a motion to adopt Amendment 1, identified as 28-LS0947\A.1 which read:

Page 4, following line 22:

Insert a new bill section to read:

**\* Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TRANSITION: STUDENT TESTING IN PROGRESS. Until December 31, 2014, a school district shall continue to administer the competency examination under former AS 14.03.075, and the regulations adopted under former AS 14.03.075 in effect on August 31, 2014, to a student who seeks to qualify for a secondary school diploma under former AS 14.03.075, as it read on August 31, 2014."

Renumber the following bill section accordingly.

Page 4, line 23:

Delete "July 1"

Insert "September 1"

[9:42:25 AM](#)

REPRESENTATIVE SADDLER objected for the purpose of discussion.

REPRESENTATIVE SEATON explained that Amendment 1 shortens the transition period. He said the Kenai Peninsula Borough School District typically has two to three former students take the test each year and the cost to the district is about \$4,500 to accommodate the testing, which is a high cost per student. He then offered Amendment 1 to change the date of the end of the transition period from December 31, 2014, to June 30, 2015.

[9:43:38 AM](#)

REPRESENTATIVE SADDLER objected to Amendment 1 to Amendment 1 for the purpose of discussion.

REPRESENTATIVE SEATON explained that the assessment contract ends on June 30th of each year and moving the date to June 30, 2015, will coincide with the contract. For example, if the transition ends December 31, 2014, it would end in the first half of the contract year, thus the extension includes the full contract year and provides students one additional opportunity to test.

REPRESENTATIVE LEDOUX expressed her belief that the transition period should extend longer or be retroactive so students do not lose the opportunity to retest.

[9:46:15 AM](#)

REPRESENTATIVE SADDLER removed his objection.

[9:46:20 AM](#)

REPRESENTATIVE LEDOUX objected. She restated her preference to allow the students additional time to retest, as is defined in the sponsors' bill and in the administration's bill.

REPRESENTATIVE SEATON advised that the original bill directed that the HSGQE would be terminated immediately. The committee substitute included a long transition period at a cost of \$1.3 million per year - which was not funded by the legislature - but would come from each high school. All students have had five chances to pass the test during high school, and Amendment 1 to Amendment 1 provides two additional opportunities, one in December and one in April.

REPRESENTATIVE LEDOUX reminded the committee the bill has a negative fiscal note, and the rule that the students started with in ninth grade was without limitation on retesting. The proposed CS ends that opportunity in 2017, and she opposed further curtailing their opportunity.

[9:50:04 AM](#)

REPRESENTATIVE LEDOUX withdrew her objection to Amendment 1 to Amendment 1.

[9:50:37 AM](#)

There being no further objection, Amendment 1 to Amendment 1 was adopted.

[9:50:58 AM](#)

REPRESENTATIVE SADDLER maintained his objection to Amendment 1, as amended. He expressed his belief that there is value in the exit exam and in "cut" scores from a pass/fail test, not just assessments, to give meaning to a diploma. A review reveals that not enough students could pass the exit exam, so the cut scores were lowered, and the education establishment has decided that the exit exam is not a useful assessment. The department has new standards based assessments and proposed additional assessments such as ACT, SAT, and WorkKeys. Eliminating the exit exam returns the school system to the status before certainty was provided to the public and the business community that 18- and 19-year-olds with a diploma have minimum standards of competency. Representative Saddler said he was in favor of the extended transition period to 2017, and then removed his objection to Amendment 1.

[9:52:33 AM](#)

REPRESENTATIVE SEATON, speaking to Amendment 1, said the proposed legislation creates a long period of expenses to high schools to administer an exam which is no longer in use. He reviewed the five opportunities students have to take the test, and another option that students have to receive a diploma. Representative Seaton stressed the need to direct funds into the classroom for the education of students, which is the purpose of Amendment 1.

[9:54:31 AM](#)

REPRESENTATIVE LEDOUX restated her concern about eliminating the exam. However, if that is the case, she supported leaving the transition language unchanged. She then objected to Amendment 1.

[9:56:07 AM](#)

A roll call vote was taken. Representatives Saddler, Reinbold, Seaton, P. Wilson, and Gattis voted in favor of Amendment 1.

Representative LeDoux voted against it. Therefore, Amendment 1 was adopted by a vote of 5-1.

REPRESENTATIVE REINBOLD stated her support for benchmark testing to ensure that students achieve a certain level; however, she cautioned that Common Core may be an experiment that has not been proven, and that the new assessments may be very expensive.

[9:57:58 AM](#)

REPRESENTATIVE SEATON moved to report CSHB 220, Version 28-LS0947\U, Mischel, 2/6/14, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, CSHB 220(EDC) was reported from the House Education Standing Committee.

[9:58:31 AM](#)

#### **ADJOURNMENT**

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:58 a.m.